

Statement from Attorney-General Christian Porter in relation to concerns about Google breaching a suppression order in the Grace Millane case

Because Australia's suppression laws are essentially state laws, to be effective, reform of the laws in Australia and potential modernisation of the system would need to follow a two stage process. First, there would need to be a move to consistency of the various regimes in place in Australian states and territories and, second, that uniform system could then be the subject of consistent improvements.

To this end and to assist this process the Commonwealth reviewed suppression order regimes across Australia last year, and I brought the matter to the Council of Attorneys-General in November 2018. The Council includes New Zealand.

The focus of the Commonwealth's review was to ensure jurisdictions as a first stage to reform had implemented existing model legislation that had previously been endorsed by Attorneys-General. That scheme would provide a uniform national scheme for suppression orders, and is expressly intended to strike an appropriate balance between the principle of open justice and other competing interests.

The Commonwealth has implemented that model legislation at the federal level. However, implementation by the states and territories still varies across jurisdictions.

It is for the states and territories to implement the uniform model laws that would then serve as a basis for further potential reforms that might arise out of law reform review processes that are also underway in Victoria and NSW.